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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 29, 1999

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

V.

CASE NO. PUE980334

SANVILLE UTILITIES CORP.,

Defendant

ORDER GRANTING MOTION AND ESTABLISHING HEARING

On September 27, 1999, the Staff of the State Corporation Commission ("Staff") filed a Motion Requesting Expedited Hearing for Appointment of Receiver for Sanville Utilities Corp. ("Sanville" or "the Company").

In its Motion, the Staff alleged that Sanville had failed to obey the Commission's November 25, 1998, Order to provide reasonably adequate sewer services and facilities. The Motion also described recent events affecting Sanville's provision of sewer service to residents of the Fairway Acres subdivision in Henry County, Virginia. Specifically, the Motion alleged that raw sewage is being discharged into Blackberry Creek, creating a public health hazard because of the extraordinary incidence of fecal coliform. The Motion further alleged that the sewage treatment plant is not being properly operated and maintained

and that electric power to the treatment plant was terminated on or about September 7, 1999, and was reconnected on or about September 27, 1999. The Staff expressed concern that the treatment plant may have been abandoned by its owner and operator, Mr. Richard M. Anthony.

The Motion also described problems with Sanville's water systems in the Rockhill and Westwood subdivisions of Henry County, namely, that Sanville has received notices of violation for failing to monitor water quality and that some water samples have revealed a high incidence of bacteria in the water. Additionally, Staff alleged that residents of the Rockhill subdivision were without water from April 30 to May 5, 1999, and that the electric power to the Westwood subdivision water pump was in danger of being disconnected, but that American Electric Power - Virginia had agreed, upon the intervention and request of the Staff, to leave the electricity on for the present to ensure that customers will receive water service.

Finally, the Motion alleged that Mr. Anthony has made a written representation to the Commission of his desire to abandon the sewer utility business, claiming that he is neither physically nor financially able to continue in the business.

NOW, upon consideration of the Staff's Motion and the applicable law, the Commission is of the opinion and finds that, due to the immediate threat to the public health, we should hold

an emergency hearing to consider the immediate appointment of at least an interim receiver for Sanville. Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) A hearing hereby is scheduled for Thursday, September 30, 1999, at 10:00 a.m. at the Commission's offices, 1300 East Main Street, Richmond, Virginia 23219. The hearing will be held in the Conference Room on the 11<sup>th</sup> Floor to accommodate telephonic participation.

(2) Sanville Utilities Corp. hereby may participate in this hearing in person or, alternatively, by calling the Commission's offices at 10:00 a.m. on Thursday, September 30, 1999. To ensure telephonic participation, Sanville may call 804-371-9608.

(3) Sanville shall be in default if it fails to enter an appearance by participating in person or telephonically at the hearing. In either of these events, the Company shall be deemed to have waived all objections to the admissibility of the evidence, and the Commission may enter judgment against it by default, imposing any sanctions allowable by law and which the Commission may find reasonable under the circumstances.

(4) This case is continued generally.